

REMARKS

Applicants respectfully request entry of the foregoing and reconsideration of the subject matter identified in caption, as amended, pursuant to and consistent with 37 C.F.R. § 1.112, and in light of the remarks which follow.

Claims 12-16 and 18-35 are pending in the application, Claim 17 having been canceled above and Claim 35 having been added above.

By the above Amendments, Applicants amended Claims 12, 14, 15 and 18 and canceled Claim 17 to address the § 112 issues. Applicants also added new claim 35 to further define an exemplary embodiment. Support for new claim 35 can be found generally in the specification and in canceled claim 17.

Applicants thank the Examiner for acknowledging Applicants' claim for foreign priority under 35 U.S.C. § 119 and for indicating that all certified copies of the priority documents have been received.

Turning now to the Official Action, Claims 12-34 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. For at least the reasons that follow, withdrawal of the rejections is in order.

Concerning the rejection of Claim 12 for use of the words "comprising introducing a compatibilizer into the preparation mixture; after contacting of at least part of the silicone oil....; or after this POS/filler contacting," Applicants have amended Claim 12 to obviate the rejection. In particular, Applicants have amended Claim 12 to read, in part, "...comprising introducing a compatibilizer into a mixture of silicone oil and particulate filler: after contacting ... this compatibilizer introduction optionally taking place in a first step"

Concerning the rejection of Claim 14 for being unclear, Applicants have

amended Claim 14 to obviate the rejection. In particular, Applicants have amended Claim 14 to read, in part, "with at least one processing aid, wherein the at least one processing aid is different from the first compatibilizer fraction and is selected from molecules or combinations of molecules which are capable of interacting with the particulate filler...." Support for this amendment can be found at least at paragraphs [0120] to [0131].

Concerning the rejection of Claim 15 for being inconsistent with Claim 14 and for failing to provide antecedent basis for "the processing aid", Applicants amended Claim 15 to obviate the rejection. In particular, Applicants amended Claim 15 to depend from Claim 14 so that there is antecedent basis for the "processing aid."

The rejection of Claim 17 is moot because Applicants have now cancelled Claim 17.

Finally, concerning the rejection of Claim 18, Applicants amended Claim 18 to depend from new Claim 35 and amended the last portion of the claim to read, in part, "...contains some catalyst B and, optionally, one or the other of the POS fluids (I) and (II)."

In view of the above amendments, Applicants respectfully request reconsideration and withdrawal of the § 112, second paragraph, rejections.

The disclosure stands objected to for including informalities. Applicants have amended the specification to address the objection. In particular, Applicants have amended the specification to include an introductory paragraph reflecting the continuing status of the application and the status of the parent applications.

Applicants respectfully request reconsideration and withdrawal of the objection to the disclosure.

Claims 12-34 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Le Blanc. For at least the reasons that follow, Applicants request reconsideration and withdrawal of the rejection.

Independent Claim 12 recites a process for preparing a suspension of a particulate filler in a material formed by a silicone oil comprising:

polyorganosiloxanes (POS fluids) of type (I) which carry Si-alkenyl functional groups capable of reacting with the Si-H crosslinking functional groups of a POS fluid of type (II),

optionally, POS fluids of type (II) which carry Si-H crosslinking functional groups capable of reacting with the Si-alkenyl functional groups of the POS fluids (I), and/or, optionally, POS fluids of type (III) which differ from the POS fluids (I) and (II),

the suspension being able to be used for producing silicone compositions that can be cured by polyaddition,

this process being one in which the particulate filler is treated with the aid of a compatibilizing agent or compatibilizer,

the process comprising introducing a compatibilizer into a mixture of silicone oil and particulate filler:

after contacting of at least part of the silicone oil employed with at least part of the particulate filler used, this compatibilizer introduction optionally taking place in a first step for a compatibilizer fraction corresponding to a proportion of at most 8% by dry weight with respect to the total particulate.

Le Blanc relates to the preparation of a dough adopted for incorporation into compositions which are vulcanizable into elastomeric state by a polyaddition reaction namely, by a crosslinking reaction between a polydiorganosiloxane containing at

least two $\equiv\text{Si-CH=CH}_2$ groups (abbreviated SiVi groups) in its molecule and a polysiloxane containing at least two $\equiv\text{SiH}$ groups in its molecule. (See Le Blanc at col. 1 lines 10-18.)

The Official Action asserts that although the working examples of Le Blanc "do not show an example that meets the claimed weight requirement and Le Blanc does not specifically teach this requirement, the amounts of each component taught by Le Blanc fall within this range such that the teachings in Le Blanc et al. anticipate the instant claims." (See Official Action at pages 3-4.)

It is well established that in order to demonstrate anticipation under § 102(b), each element of the claim at issue must be found, either expressly described or under principles of inherency, in a single prior art reference. See Kalman v. Kimberly-Clark Corp., 218 U.S.P.Q. 789 (Fed. Cir. 1983).

Applicants respectfully request reconsideration and withdrawal of the § 102(b) rejection over Le Blanc.

Claims 12-34 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Fujiki. For at least the reasons that follow, Applicants request reconsideration and withdrawal of the rejection.

Fujiki relates to a process for preparing a liquid silicone composition which ensures a low initial viscosity and is able to suppress and increase of viscosity as time passes during the course of storage and which has improved and lasting release properties when cured. (See Fujiki at col. 1, lines 5-13.)

Again, to demonstrate anticipation of § 102(b), each element of the claim and issue must be found either expressly described or under principles of inherency, in a single prior art reference. See Kalman v. Kimberly-Clark Corp., 218 U.S.P.Q. 789

(Fed. Cir. 1983).

Applicants respectfully request reconsideration and withdrawal of the § 102(b) rejection over Fujiki.

From the foregoing, Applicants earnestly solicit further and favorable action in the form of a Notice of Allowance.

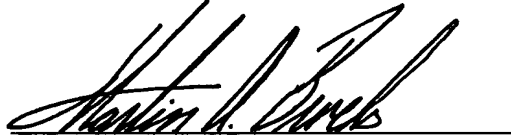
If there are any questions concerning this paper or the application in general, Applicants invite the Examiner to telephone the undersigned at the Examiner's earliest convenience.

Respectfully submitted,

BUCHANAN INGERSOLL & ROONEY PC

Date: August 14, 2006

By:

A handwritten signature in black ink, appearing to read "Martin A. Bruehs", is written over a horizontal line.

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